

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 2/26/2021
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GEORGE LEE, on behalf of himself :
and all others similarly situated, :

Plaintiff, :

- against - :

CANADA GOOSE US, INC., :

Defendant. :

20 Civ. 9809 (VM)

ORDER

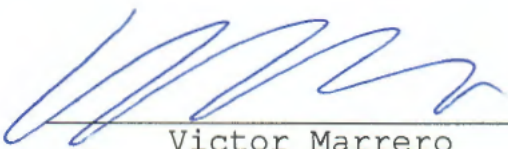
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VICTOR MARRERO, United States District Judge.

Consistent with the Court's Individual Practices, on February 8, 2021, counsel for defendant Canada Goose US, Inc. ("Defendant") wrote to plaintiff George Lee ("Plaintiff") regarding an anticipated motion to dismiss the Complaint. (See "Promotion Letter," Dkt. No. 11.) By letter dated February 16, 2021, Plaintiff responded to the Promotion Letter. (See Dkt. No. 12.) Defendant advised the Court by letter dated February 22, 2021 that the parties' letter exchange had failed to resolve their dispute. (See "Letter Motion," Dkt. No. 13.)

Having reviewed the arguments raised in the exchange of letters, the Court will deem the Letter Motion as the motion to dismiss and will resolve Defendants' motion in a forthcoming decision on the basis of the letters and the material in the record. See Kapitalforeningen Lægernes Invest. v. United Techs. Corp., 779 F. App'x 69, 70 (2d Cir. 2019) (affirming the district court ruling deeming an exchange of letters as a motion to dismiss).

SO ORDERED.

Dated: New York, New York
26 February 2021



Victor Marrero
U.S.D.J.